

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| <b>CULVER M. SNIPES,</b> | ) | <b>CASE NO. 1:06CV2527</b>     |
|                          | ) |                                |
| <b>Petitioner,</b>       | ) |                                |
|                          | ) |                                |
| <b>v.</b>                | ) | <b>JUDGE PETER C. ECONOMUS</b> |
|                          | ) |                                |
| <b>WARDEN LAZAROFF,</b>  | ) |                                |
|                          | ) |                                |
| <b>Respondent.</b>       | ) | <b>MEMORANDUM OPINION</b>      |
|                          | ) | <b>AND ORDER</b>               |

On October 16, 2006, Petitioner, Culver M. Snipes, (“Petitioner”), filed a *pro se* writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the constitutionality of his criminal conviction (Dkt. # 1). The case was referred to Magistrate Judge William H. Baughman, Jr., pursuant to Local Rule 74.2 (Dkt. # 5). Respondent, Warden Lazaroff, (“Respondent”), filed a motion to dismiss the petition for failure to state a claim on March 2, 2007. (Dkt. # 9). On April 10, 2007, the Magistrate Judge recommended that Respondent’s motion be granted and Petitioner’s petition for habeas corpus relief under 28 U.S.C. § 2254 be dismissed. (Dkt. # 12).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Petitioner has failed to timely file any such objections. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate

Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Therefore, the Magistrate Judge's report and recommendation (Dkt. # 12) is hereby **ADOPTED** and Petitioner's writ of habeas corpus is **DISMISSED**. Furthermore, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

**IT IS SO ORDERED.**

/s/ Peter C. Economus - May 17, 2007  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**